Single Bench (3)

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 4888 /2004

Attested

A.R.(3) 19/1/05

Amendment as per court order dated 18.1.05

4896/04

P.R. No. ..... Presented by Shri R. Tiwari dated 15-12-04

PETITIONER

Kallu Singh Parihar son of Dhalendra Singh, aged about 42 years, occupation – Ad-hoc Teacher, (Presently discontinued) Bharari, Middle School, resident of – village Newra, Post Newra, P.S. Kota, Tah. Takhatpur, District – Bilaspur (Chhattisgarh)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Education, D.K.S. Bhawan, Raipur (CG)

Certified COPY 15/12/04 Bilaspur

2. The Director, Lok Shikshan Sanchalnalay, D.K.S. Bhawan, Raipur (CG)

3. The Collector, Bilaspur (CG)

4. The District Education Officer, Education Distt. Bilaspur (Chhattisgarh)

15/12/04

5. The State of Madhya Pradesh through : the Secretary, Department of Education, Vallabh Bhawan, Bhopal (Madhya Pradesh)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

01) PARTICULARS OF THE PETITIONER:

As per the cause title.

(39)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4888/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	18.01.2005: - Shri A.N.Bhakta, learned counsel for the petitioner. Shri Akhil Agrawal, learned P.L. for the State/respondents. The instant petition has been preferred by the petitioner with the prayer for reappointment as Assistant Teacher as according to the petitioner he was appointed as Assistant Teacher vide order 30.08.1993 for a period of one year. Learned counsel for the petitioner submits that he has filed an application for amendment in the cause-title of the petition. The same is allowed. The petitioner to amend the cause-title during the course of the day. Learned counsel for the petitioner further submits that the petitioner approached M.P. Administrative Tribunal for reappointment as Asst. Teacher. In certain years orders of reappointment have been passed by the Tribunal as well as by the High Court of M.P. In view of the various orders passed by different forums, the erstwhile State of M.P. issued a circular dated 28.08.1997 wherein it is mentioned that those teachers who have completed two years probation successfully, their names should be forwarded for appointment. Learned counsel for the petitioner submits that for the present, the petitioner may be given an opportunity to file a detailed representation before respondent No. 2, the Director, Lok Shikshan Sanchalnalay, D.K.S. Bhawan, Raipur (C.G.) for the grievances	

GRPRJ—FS/350—12/2000—50,000.

(40)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4888/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

raised by the petitioner in this petition who shall consider it on its own merits in accordance with law.

To this learned counsel for the respondents has no objection.

Having considered the facts and circumstances of the case and without expressing any opinion further on the merits of the case, I am of the view that the ends of justice will be served if the petitioner is directed to make a detailed representation before the respondent No.2 raising his grievances along with a copy of this petition and this order within 15 days and on filing of such representation, the respondents No. 2 shall decide the same on its own merits in accordance with law as early as possible preferably within a period of three months from the date of receipt of such representation. The petitioner shall be at liberty to file appropriate proceedings in accordance with law if he is aggrieved by the order passed by the respondent on his representation.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P.No. 5158/2004 and I.A.No. 9744/2004 stand disposed of.

Sd/-
Dhirendra Mishra
Judge

GRPRJ—FS/350—12/2000—50,000.

3.3.05 24.2.05 22.1.05